

EXECUTIVE SECRETARIAT

ROUTING SLIP

TO:

		ACTION	INFO	DATE	INITIAL
1	DCI		X		
2	DDCI		X		
3	EXDIR		X		
4	D/ICS		X		
5	DDI		X		
6	DDA		X		
7	DDO		X		
8	DDS&T		X		
9	Chm/NIC				
10	GC		X		
11	IG				
12	Compt				
13	D/Pers				
14	D/OLL				
15	D/PAO				
16	SA/IA				
17	AO/DCI				
18	C/IPD/OIS				
19	NIO /S&T		X		
20	C/TTIC		X		
21					
22					
SUSPENSE		Date			

Remarks

Executive Secretary

25 Jan 85

Date

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THE SECRETARY OF COMMERCE
Washington, D.C. 20230

JAN 16 1985

Executive Registry

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MEMORANDUM FOR THE HONORABLE GEORGE SHULTZ
The Secretary of State

THE HONORABLE CASPAR WEINBERGER
The Secretary of Defense

THE HONORABLE DONALD HODEL
The Secretary of Energy

THE HONORABLE ROBERT C. MCFARLANE
Assistant to the President
for National Security Affairs

THE HONORABLE JAMES BEGGS
Administrator, National Aeronautics
and Space Administration

28 JAN 1985

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SUBJECT: Soviet Access to Sensitive Scientific and
Technical Information Produced by or for
the United States Government

On the basis of analysis conducted over the past year, it appears that several U.S. Government agencies are tolerating a massive give-away program that permits the Soviets to acquire tens of thousands of scientific and technical studies as well as other strategic information. I am writing to the five of you because I have no practical capability to control this flow of information. While these studies and information are made available to the public by the Commerce Department's National Technical Information Service (NTIS), Commerce does not originate the studies or information. Moreover NTIS cannot reclassify them or, given the vast volume and scope of subjects, in any practical way screen the material for sensitivity.

The source of sensitive information of interest and of value to the Soviets is the tens of thousands of unclassified and previously classified studies produced by or for the Department of Defense, the Department of Energy, and NASA, and submitted by them to NTIS. Because of its Congressional-mandate to make available to the public USG-originated studies, NTIS acts as a clearing house, selling data bases and studies to commercial vendors, such as DIALOG and ORBIT. These vendors in turn use international networks such as TYMNET to sell such USG-originated studies worldwide. With this program in place, Moscow has had unlimited access to all information in NTIS

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through the USSR All-Union Scientific Research Institute, which is a prominent subscriber to this source of data.

Specifically, studies submitted to NTIS have included: DOD analyses of space weapons, chemical warfare, nuclear weapons, computer security, high-technology telecommunications, electronics, computers, and lasers; Energy analyses of nuclear energy and high intensity physics; and NASA analyses of space and rocket technology. A sample list of actual studies is attached.

The potential danger to our national security is that, through the give-away program, the Soviets have access to studies and other strategic information covering much of the same type of technologies and products that the Administration is trying to keep out of Soviet hands through the multilateral export control system. This danger is compounded daily by reason of the depth, breadth, timeliness, and aggregation of the information available.

- o I recently shared with several reputable scientists in Government a sample of ten studies done by DOD contractors on lasers and on composite materials, and I asked if the studies would have any national security implications if obtained by the Soviets. The unanimous opinion was that the compilation is tremendously beneficial; that is, taken as a whole, the reports give Moscow new material information to corroborate previous lab work, focus future approaches, and eliminate costly trial-and-error processes.
- o A July 1984 study done for the Intelligence Community concluded that Soviet access to U.S. and Western unclassified data bases has played a significant role in Soviet military development. The study examined the Soviet cruise missile and concluded that Moscow probably used at least 60 previously classified U.S. Government documents in its development, at least 22 of the most significant of which were from the NTIS system. Of these, ninety percent were DOD documents.

The give-away program has resulted from a desire by previous Administrations to combat what they perceived to be over-classification, and to develop greater public access to studies and information generated by or for the Federal Government. It has also resulted from the apparent unwillingness to date of the pertinent Government agencies to commit the funds and manpower necessary to deal with and control the rapidly increasing amounts of information generated under government sponsorship. As a consequence, the annual volume of documents made available through NTIS continues to grow.

Efforts by previous Administrations, reflecting their policy goals, have taken the form of changes to executive orders, to regulations covering classification authority, and to

legislation such as the Freedom of Information Act. President Carter, for example, issued an Executive Order shortening the time that a USG-controlled document remained classified, with studies prepared by USG contractors automatically declassified after six years.

Under President Reagan, some efforts have been made to stop this hemorrhage. Thus, Executive Order 12356 of 1982 retained the automatic declassification, unless "the classification is extended by an official of the originating agency." Section 1217 of the 1984 Defense Appropriation Act authorized DOD to restrict future sensitive studies.

Despite these authorizations, practical results remain yet to be achieved. First, although DOD set up a system pursuant to Section 1217 whereby studies begun in 1984 will continue to be declassified by the DOD-originating component and reviewed by the Defense Technical Information Center (DTIC) before release to NTIS, indications are that DOD's ability to review the annual volume of documents is limited. For example, I am advised that DTIC will not be given additional resources to assist in the review process. Second, the 1984 legislation does not impose restrictions on studies underway or completed prior to 1984. In theory, these studies are covered under Executive Order 12356, but, according to DOD and intelligence community officials, this capability to extend classification has not and is not being used. As a result, numerous sensitive reports are being dumped into the NTIS system without proper review. To give you a sense of the volume, in 1983 alone, 30,000 DOD documents were given to DTIC and more than 15,000 of these were released to NTIS, including documents related to the sensitive laser and composite material information I cited previously. Because of a "pendulum" effect resulting from the policies set in motion by previous Administrations, the annual volume of documents received by NTIS from DOD, Energy, and NASA has increased by 25 percent during the Reagan Administration.

The Intelligence Community initially raised this matter in 1982. Since then, efforts have been made by Commerce and the Intelligence Community to ensure that the relevant agencies -- DOD, Energy and NASA -- were aware of the situation, and to seek their cooperation in solving the problem. The results to date have been wholly inadequate.

At our request, the Technology Transfer Intelligence Committee (TTIC) began a study of the problem in August 1984 for the SIG/TT. The classified paper, still in draft, was reviewed by an interagency panel in January and should be ready for discussion by February. It is my understanding that, in its present draft form, its conclusions are similar to mine -- that we have a massive outflow of damaging information that must be stemmed at the source.

We cannot stop all Soviet access to USG-produced information, but we must do more to control the flow of sensitive

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information. Stemming this flow would not only enhance our national security, but it would also be cost efficient. Currently, we are expending significant resources to prevent militarily-significant technology from reaching Moscow through illegal trade. Yet, intelligence experts believe this source accounts for little more than 10% of Soviet acquisitions. I do not know what share access to these data bases and documents supplies, but it is clear that this information could well be of greater value to Moscow than the technology and products the Soviets acquire through illegal trade.

No one agency can solve this problem. Its resolution may involve new legislation, new Executive Orders and coordinated Government-wide regulations. Therefore, I recommend that the NSC take the lead in seeking resolution, first by organizing a comprehensive briefing on the issue and, if my degree of concern is warranted, by directing the relevant agencies to take swift and meaningful action.

MAC

Secretary of Commerce

cc: Attorney General
Director, Central Intelligence
Director, Office of Management and Budget

Selected Studies Available in NTIS

Civil Defense in Soviet Perceptions
(Defense Nuclear Agency)

Salt: Deep Force Level Reductions
(Hudson Institute)

The Effect of Chemical Protective Clothing and Equipment on Combat Efficiency
(U.S. Army)

The Worldwide Military Command and Control Information System
(GAO)

Fully Fueled Pomcus Vehicle Storage Test Program
(U.S. Army)

Adcom Secure Voice Upgrade
(U.S. Air Force)

Under Water Acoustic Signature of a Nuclear Explosion
(Systems, Science, and Software)

Evaluations of Five Nuclear Weapons Effects Program
(U.S. Air Force)

Policy Objective and Options Under a Leverage Strategy Toward Cuba
(U.S. Department of State)

Survey of Federal Computer Security Policies
(Defense Department)

Nuclear Analysis and Technology Assessment of Radar Concepts
(SAI, Inc.)

Cratering Capabilities of Low-Yield Nuclear Weapons
(U.S. Army)

Polymeric Microelectronics
(Syracuse University/Defense Department)

Advanced Aluminum Alloys from Rapidly Solidified Powders
(Lockheed/Defense Department)

Improved Graphite Fiber Adhesion
(Ashland Chemical/U.S. Air Force)

Device Development Program for Efficient Excitation of a Blue-Green Laser
(Northrop/Defense Department)

Development of Micro-Processor-based Laser
(Tennessee University/U.S. Army)

Pulsed DF Laser Effects Study
(Boeing Aerospace/U.S. Air Force)

Engineering Data for New Aerospace Materials
(Battelle/U.S. Air Force)

Frequency Scanning Radar Concepts for Army High Energy Laser Weapons
(U.S. Army)

A Simulation Model of the Army's Command, Control, Communication,
and Intelligence Process
(Defense Department)